GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - PR & RD Deptt. - Allegation of demand and acceptance of bribe from the complainant for doing an Official favour - Case under the P.C Act, 1988 (as amended by Act, 16 of 2018) against Sri Batchu Venkata Nadha Prasad, AEE, Panchayat Raj, Pedana Mandal, Krishna District- Departmental proceedings for violation of APCS (Conduct) Rules, 1964- Article of Charges framed under Rule-20 of APCS(CC&A)Rules, 1991 – Orders -Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.407 **Dated:18-07-2024.**
Read:

From the DG, ACB, AP, Vijayawada, Lr.Rc.No.21/RCT-VKI/2021-S.9, dated:23.05.2024

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ORDER:-

It is proposed to hold an enquiry against Sri Batchu Venkata Nadha Prasad, AEE, Panchayat Raj, Pedana Mandal, Krishna District for violation of Rules 3(1) & 3(2) of APCS (Conduct) Rules, 1964 in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A statement of imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of witnesses by whom, and a list of documents by which, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri Batchu Venkata Nadha Prasad, AEE, Panchayat Raj, Pedana Mandal, Krishna District is directed to submit a written statement of his defence within 10 days of the receipt of this order.

4. Sri Batchu Venkata Nadha Prasad, AEE, Panchayat Raj, Pedana Mandal, Krishna District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Batchu Venkata Nadha Prasad, AEE, Panchayat Raj, Pedana Mandal, Krishna District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available on record.

6. Attention of Sri Batchu Venkata Nadha Prasad, AEE, Panchayat Raj, Pedana Mandal, Krishna District is invited to Rule 24 of the APCS(Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Govt., If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed Sri Batchu Venkata Nadha Prasad, AEE, Panchayat Raj, Pedana Mandal, Krishna

(P.T.O)

District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services(Conduct) Rules, 1964.

7. The receipt of the order be acknowledgment.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Batchu Venkata Nadha Prasad, AEE, Panchayat Raj, Pedana Mandal, Krishna District through Engineer-In-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve the charges to the individual and furnish served copy to Government,)
SF/SC

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE –I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI BATCHU VENKATA NADHA PRASAD, ASSISTANT EXECUTIVE ENGINEER, PANCHAYAT RAJ, PEDANA MANDAL, KRISHNA DISTRICT,

That Sri Batchu Venkata Nadha Prasad, Assistant Executive Engineer, Panchayat Raj, Pedana Mandal, Krishna District, (Herein After referred as Government Servant) while functioning as such during the period between 19.08.2015 to 18-03-2021 (till date of trap) committed grave misconduct in as much as:

Charge:

That the Government servant in abuse of his official position demanded and accepted bribe amount of Rs.85,000/- from the Complainant, Sri Mummidisetty Bala Subrahmanyam, native of Penumalli Village, Pedana Mandal, Krishna District (Complainant) as illegal gratification other than legal remuneration on 18.03.2021 as a motive or (reward) for doing an official favour ie., to process the payment of bills of Rs. 24,00,000/- for the undergoing constructions viz. New Grama Sachivalayam Building, Rytu Bharosa Kendram (RBK) and Health Care Center (Wellness Centre) Thus, Sri Batchu Venkata Nadha Prasad, Assistant Executive Engineer, Panchayat Raj, Pedana Mandal, Krishna District, by his above mentioned acts exhibited lack of devotion to duty. failed to maintain integrity, behaved in a manner unbecoming of a Government Servant and brought down the prestige of the Government and there by violated/ contravened Rule 3 (1) & (2) of APCS (conduct) Rules, 1964.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI BATCHU VENKATA NADHA PRASAD, ASSISTANT EXECUTIVE ENGINEER, PANCHAYAT RAJ, PEDANA MANDAL, KRISHNA DISTRICT.

Sri Batchu Venkata Nadha Prasad, Assistant Executive Engineer, Panchayat Raj, Pedana Mandal, Krishna District. His date of birth is 08.12.1962. He entered into Panchayat Raj Department on 16.05.1991 as Technical Work Inspector Grade-I. He is due to retire on attaining the age of superannuation on 31.12.2024. He is hereinafter referred to as Government Servant (G.S)

(Continued on Page.4)

Charge:

That the Government servant in abuse of his official position demanded and accepted an amount of Rs. 85,000/- from the Complainant Sri Mummidisetty Bala Subramanyam, towards gratification other than legal remuneration as a motive or (reward) for doing an official favour i.e., to processing the payment of bills of Rs. 24,00,000/- for the undergoing constructions viz. New Grama Sachivalayam Building, Raytu Bharosa Kendram (RBK) and Health Care Center (Wellness Centre).

Facts and Evidence:

The Complainant Sri Mummidisetty Bala Subramanyam is a resident of Penumali Village, Pedana Mandal, Krishna District and stated that he is living by doing agriculture. He was originally a native of Maddipatla village of Guduru Mandal. He owned a non- trading Rice Mill in the name of Sri Kondalamma Thalli Rice Mill at Penumalli village of Pedana Mandal and ran it for about 12 years. He had a key role in the YSR Congress Party at Pedana Constituency for eight years. As it was, in December 2020 funds were granted to Chodavaram Panchayat for the construction of Grama Sachivalayam, Rythu Bharosa Kendhram, Health Care Centre in one complex and the compound wall around the said complex to Chodavaram (V) of Pedana Mandal under the supervision of Sri Jogi Ramesh, MLA, Pedana Assembly Constituency. The Panchayat Secretary entrusted the work of construction of the said buildings and compound wall to the Complainant Sri Mummidisetty Bala Subramanyam on behalf of Grama Panchayat.

On 04.12.2020 the Complainant Sri Mummidisetty Bala Subramanyam laid the foundation, levelled the ground by filling the soil, and material with each and started the work of construction. He completed the construction of the said 3-buildings upto slab level and completed the construction of the compound wall at a height of 2½ feet with a width of 9 inches, further, the Construction of the wall up to $2^{1/2}$ feet with a width of 4 inches is to be completed. Sri BVN Prasad, AEE, Panchayat Raj of Pedana Mandal is working as a Special Officer of Chodavaram Gram Panchayat since the cancellation of the previous Panchayat Board. The Panchayat Secretary has to pay the part payments for construction to the Complainant's Current A/c Bank after taking the recommendations of the concerned Mandal AEE. Wherein, in this issue, the Special Officer to Chodavaram Village Gram Panchayat and the concerned Panchayat Raj AEE are the same i.e., Sri BVN Prasad.

But, till the date, the Complainant Sri Mummidisetty Bala Subramanyam has not received any payments. Then the Complainant Sri Mummidisetty Bala Subramanyam requested the Panchayati Secretary and the Special Officer/AEE Sri BVN Prasad, to sanction Rs.1,72,991/- for the soil and levelling work. As the Complainant Sri Mummidisetty Bala Subramanyam is not having a Bank Current Account, he requested the Panchayat authorities to deposit the same amount in the Account No. 3642618936, which belongs to his friend Sri M.V.Raghavendra Rao Later the Panchayat Secretary deposited the amount in the said Bank Account, but the amount did not credit in his friend's Bank Account due server down. While the matter stood thus, on 09.03.2021 at the O/o DEE, PR, Machilipatnam, the Complainant Sri Mummidisetty Bala Subramanyam requested the Special Officer of Chodvaram Gram Panchayat,AEE, PR, Pedana Mandal to take necessary steps to issue a bill payment as he completed the construction of 3-buildings up to

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the level of foundation but he says that will give this, will give that and made the Complainant Sri Mummidisetty Bala Subramanyam roaming around him and finally informed the Complainant Sri Mummidisetty Bala Subramanyam to come to his house at Bandar.

On 11.03.2021 the Complainant Sri Mummidisetty Bala Subramanyam went to the house of AEE and requested him to take necessary action to sanction the payment of bills. The AEE demanded Rs.85, 000/- to sanction Rs.24,00,000/- as he completed the work up to the level of the foundation. On that, the Complainant Sri Mummidisetty Bala Subramanyam expressed his inability to give the said amount and further expressed that he can pay Rs.30,000/-, but the AEE refused and demanded Rs.85,000/- and further, the AEE informed him, to pay the amount in two installments and demanded to pay the first installment of Rs.45,000/- immediately, as there is no other go, the Complainant Sri Mummidisetty Bala Subramanyam said he will try for the said amount then come.

Later, on 16.03.2021, afternoon at 3 PM, the Complainant made a phone call to Sri BVN Prasad, AEE and discussed the construction of the compound wall and further requested to take necessary action to process the payment of bills, on that, the AEE informed him that whenever he consulted him, he will get sanction of the said bill to him On that, again the Complainant Sri Mummidisetty Bala Subramanyam expressed that he can pay Rs.30,000/- only, as the money not adjusted to him. But, the AEE demanded Rs.45,000/- as 1st installment out of a total bribe of Rs.85,000/- and give him or give him to whom he directs at the place where he directs. The Complainant Sri Mummidisetty Bala Subramanyam recorded the entire conversation on his mobile phone. The AEE Sri BVN Prasad would not sanction the bill to him until he pay the demanded bribe and the Complainant Sri Mummidisetty Bala Subramanyam is not willing to pay the demanded bribe amount of Rs.85,000/- to the AEE Sri BVN Prasad, the Complainant Sri Mummidisetty Bala Subramanyam got prepared a report by incorporating the facts regarding the demand of a bribe made by the said AEE. He further, got copied the voice record between him and the AEE by a known computer/cell phone shop into a Memory card and attached it along with his report and submitted it to the DSP, ACB, Vijayawada Range, Vijayawada.

The DSP, ACB Vijayawada endorsed the complaint to Sri K. Happy Krupa Vandanam, Inspector, ACB Vijayawada Range on 17-03-2021 at 23:45 hours to cause enquiries about the genuinity of the complaint and the antecedents of the Accused Officer (AO) Sri BVN Prasad and report. On that, the Inspector, ACB Vijayawada Sri K. Happy Krupa Vandanam, conducted a confidential enquiry. The Complainant Sri Mummidisetty Bala Subramanyam has no previous enmity with Sri BVN Prasad, Accused Officer. There are no ill feelings between the Complainant Sri Mummidisetty Bala Subramanyam and the Accused Officer. The contents of the petition are true and genuine. The Accused Officer has a bad reputation with the public.

After following due procedure, DSP ACB, Vijayawada registered the complaint as a case in Cr.No.03/RCTIACB-VJA/2021 u/s 7(a) of the Prevention of Corruption (Amendment) Act 2018 on 18.03.2021 at 10:45 hours and took up the investigation.

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During the investigation, the DSP ACB Vijayawada secured the presence of two mediators (1) Sri Balla Jyotheswara Rao, S/o B. Vullakki, Sub Treasury Officer, O/o DTO West, Vijayawada, and (2) Sri Rajput Gopal Singh, S/o Anand Singh, Senior Accountant, O/o DTO West, Vijayawada, and conducted Pre-Trap Proceedings, on 18.03.2021 from 11.00 hours to 14.30 hours at his Office. During the proceedings, the DSP gave a copy of the report of the Complainant Sri Mummidisetty Bala Subramanyam, Dt. 17.03.2021 to the mediators. The mediators perused the contents of the report and questioned the Complainant about the demand for a bribe of Rs.85,000/- by the G.S to process for payment of bills of Rs. 24,00,000/- for the undergoing constructions viz. New Grama Sachivalayam Building, Raytu Bharosa Kendram (RBK) and Health Care Center (Wellness Centre) done by the Complainant Sri Mummidisetty Bala Subramanyam at Chodavaram Village, Pedana Mandal, Krishna District. The Complainant Sri Mummidisetty Bala Subramanyam reiterated the facts of his complaint to the mediators.

The mediators also enquired about any financial disputes and ill feelings that existed between the G.S and the Complainant Sri Mummidisetty Bala Subramanyam as well as other contents in the report and found that there were no such ill feelings and financial disputes between the Complainant Sri Mummidisetty Bala Subramanyam and the G.S. Further, the mediators came to know that the Complainant Sri Mummidisetty Bala Subramanyam voluntarily lodged his report to the DSPACB, Vijayawada without any compulsion or coercion. The Complainant Sri.Mummidisetty Bala Subramanyam handed over the memory card containing the conversation, Dt: 16.03.2021 that ensued between the G.Sand the Complainant Sri Mummidisetty Bala Subramanyam. The mediatorson hearing the file in the memory card, reduced the conversation that occurred between the G.S and the Complainant Sri Mummidisetty Bala Subramanyam on 16.03.2021 into writing and incorporated the same in the Pre-Trap Proceedings.

The mediators also noted the numbers and denominations of the currency notes of Rs.85,000/- produced by the Complainant Sri Mummidisetty Bala Subramanyam towards the proposed bribe amount. The DSP got the said currency notes tainted with phenolphthalein powder and entrusted the said tainted notes to the Complainant Sri Mummidisetty Bala Subramanyam and further instructed him to pay the bribe amount to the G.S, on his further demand only and in case of demand and acceptance by the G.S, to give a pre-arranged signal by wiping his face with his handkerchief to the Trap Party. Further, the DSP demonstrated the Chemical Test and explained its significance to the Complainant Sri Mummidisetty Bala Subramanyam and the mediators and the mediators prepared the Pre-Trap Proceedings.

After completion of the Pre-Trap Proceedings (Mediators Report-I) in the Office chamber of O/o the Addl. SP, ACB, Krishna District, Vijayawada Range, the Trap Party with the trap kit, laptop computer and printer left the ACB Office, Gollapudi, Vijayawada at 14.45 hours along with the Complainant Sri Mummidisetty Bala Subramanyam, and the mediators by four vehicles proceeded towards Machilipatnam and at about 16.25 hours the Trap Party reached nearer to the house of the G.S situated at Brahmapuram Road No-2, in the ground floor of Sai Sri Durga Nilayam vide D.No.20-242 and the Complainant Sri Mummidisetty Bala Subramanyam identified that the G.S is

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present in his house, then the DSP asked the Complainant Sri Mummidisetty Bala Subramanyam to get down from the vehicle and instructed to approach Sri Batchu Venkata Nadha Prasad S/o B.Srinivasarao, AEE, Panchayat Raj, Pedana Mandal along with the tainted amount of Rs. 85,000/- and pay the tainted amount to the G.S as entrusted by the G.S and pay the amount only on his further demand but not otherwise. He was also instructed to relay the pre-arranged signal to the ACB Inspector Sri K. Happy Krupa Vandanam, Inspector, ACB, Vijayawada Range who took a vantage position within the reach of receiving the signal. The remaining members of the Trap Party took vantage positions nearby G.S's house at D.No. 20-242, Chilakalapudi, Machilipatnam Municipal Corporation.

At about 16.30 hours, the ACB team observed that the Complainant Sri Mummidisetty Bala Subramanyam entered the G.S house situated on the ground floor of Sai Sri Durga Nilayam, D.No. 20-242, Brahmapuram 2nd road, Chilakalapudi, Machilipatnam Municipal Corporation, at about 16:40 hours the Complainant Sri Mummidisetty Bala Subramanyam came out from the house of the G.S and gave a pre- arranged signal by wiping his face with his handkerchief to the Inspector ACB, who in turn relayed the same to the other members of the Trap Party by raising his hands.

Immediately, the Trap Party along with mediators went into the G.S house situated on the ground floor of Sai Sri Durga Nilayam, D.No. 20-242, Brahmapuram 2nd road, Chilakalapudi, Machilipatnam Municipal Corporation and found one male person wearing a cut banian and sitting in the main hall on the sofa. The DSP, ACB disclosed his identity along with the other members of the Trap Party and requested him to disclose his identity. On seeing the ACB officials, he started shivering and slowly revealed his identity as Sri Batchu Venkata Nadha Prasad S/o B.Srinivasa Rao, 58 years, Assistant Executive Engineer, Panchayat Raj, Pedana Mandal, Krishna District, in the meantime two female persons, came into the main hall from kitchen room and the G.S introduced them as 1)Smt. Batchu Gopi Sowbhagya Ratna, Aged 54 years, his wife and 2)Smt.Mothumodi Padmavathi W/o Seshubabu, 32 years, R/o Machavaram, Machilipatnam and working as a servant in his house. The DSP told them to attend to their routine work as usual. On that, they both went into the kitchen room. Then the DSP served under section 165 Cr.P.C. proceedings to the G.S.

The Complainant Sri Mummidisetty Bala Subramanyam also confirmed the identity of Sri Batchu Venkata Nadha Prasad, AEE, who demanded and accepted the bribe amount. Then DSP asked the Complainant Sri Mummidisetty Bala Subramanyam to wait outside. The DSP questioned Sri Batchu Venkata Nadha Prasad about whether he had just demanded and accepted the bribe of Rs.85,000/-, from the Complainant Sri Mummidisetty Bala Subramanyam for which he has not given any reply and kept mum. The DSP instructed the G.S to keep his both hands apart without touching anything and to cooperate with the ACB Officials. The DSP instructed Sri Md. Suleman, HC.222 to prepare Sodium Carbonate solutions in two separate glass tumblers. When he did so, the solutions were found colourless. The DSP requested Sri Batchu Venkata Nadha Prasad rinse both hand fingers in both glass tumblers separately. When he did so the colourless solutions changed into pink colour.

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The above two solutions were transferred into two clean glass bottles. Then the DSP seized the two bottles, duly sealed, labelled and affixed slips signed by the mediators and the DSP on them. The colour test proved that the G.S received the bribe amount from the Complainant Sri Mummidisetty Bala Subramanyam with both hands. When questioned by the DSP, Sri Batchu Venkata Nadha Prasad produced the tainted currency notes bunch from his left side front Pants pocket, which was received from the Complainant Sri Mummidisetty Bala Subramanyam at his instance. The DSP requested one of the Mediators (Sri Balla Jyotheeswara RG.S) to take over the tainted amount and compare the same with the numbers that are mentioned in the Pre-Trap Proceedings. On verification of those notes, which are thirty-two in Rs.2,000/- denomination and forty-two in Rs.500/- denomination total amounting to Rs.85,000/- and found tallied with the serial number of the notes that are mentioned in the Mediators Report-I. (Pre-Trap proceedings)

It is confirmed that the G.S received the bribe amount from the Complainant Sri Mummidisetty Bala Subramanyam. The DSP seized the above-tainted currency notes amounting to Rs.85,000/- for the purpose of investigation. Then the DSP instructed his staff to make arrangements to change the wearing Pant of the G.S and brought the wearing Pant. Accordingly, the G.S changed his wearing pants and brought the wearing Pants.

Then the DSP requested H.C.222 to rinse the inner linings of the left side front pant pocket of the elephant coloured Pants with cotton that came into contact with the tainted bribe amount of Rs.85,000/- in the colourless sodium carbonate solution. When he did so, the solution in the glass tumbler turned pink colour. The above solution was transferred into a clean glass bottle duly sealed, labeled and signed by the mediators and DSP. The DSP seized the bottle containing the resultant solution along with Elephant coloured Pants.

The DSP Instructed one of his Inspectors to make a call to the Deputy Executive Engineer, Panchayat Raj, Machilipatnam, MPDO, Pedana, Panchayat Secretary, Chodavaram (V), Pedana (M) and other concerned officials and inform them about the trap and request them to attend before him.

When the DSP questioned the G.S about the demand and acceptance of the bribe from the Complainant Sri Mummidisetty Bala Subramanyam, the G.S stated in the presence of the mediators that was enlisted as a Grade-I Work Inspector in the Panchayat Raj Department on 16.06.1991. Later on 31.10.1994, he was promoted as Assistant Executive Engineer and since 19.08.2015 he has been working as AEE, Panchayat Raj, Pedana Mandal of Krishna District. As per the proceedings of District Collector, Krishna vide No.26/C1/2020, Dt. 18.05.2020 sanctioned Gram Sachivalayams, Rythu Bharosa Centres, Wellness Centres to the 17 villages of Pedana (M). As the works are to be done from NREGS funds, there is no necessity to go to any type of tender. Further, as per the administrative sanction proceedings given by the District Collector, the Executive Engineer, Panchayat Raj have to issue work orders in favour of the concerned Panchayat.

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Based on the work order, the Panchayat Sarpanch/Special Officer have to make resolutions accordingly and sent the same for estimation to the concerned Mandal AEE of Panchayat Raj. The concerned AEE have to issue an estimation, and on that, the Panchayat Sarpanch/Special Officer have to attend to the work. The concerned AEE used to maintain M-Books regularly for such construction works and forward the stage-wise M-Books to EE, Panchayat Raj through the concerned DEE, Panchayat Raj for Scrutiny and sanction of payment in favour of the concerned Gram Panchayat Current Account. After Scrutiny the EE used to sanction the amount and request for payment through CFMS in favour of the concerned Gram Panchayat. In Gram Panchayats the Concerned Sarpanch/Special Officer is the competent person to draw the Sanctioned amount by the EE, Panchayat Raj. Later the concerned Sarpanch/Special Officer used to issue cheques transfer amounts to the contractors' bank accounts.

As per the proceedings of the District Collector, the grants for Chodavaram (V), Pedana (M) for the construction of Grama Sachivalayam is Rs.40 Lakhs, for the construction of Rythu Bharosa Kendhram is Rs.21.8 Lakhs, for the construction of Wellness Centre is Rs.17.5 Lakhs and the said amounts are being sanctioned from Mahatma Gandhi National Rural Employment Guarantee Scheme.

He was also appointed as a Special Officer, Chodavaram Gram Panchayat, Pedana (M) in August 2018. Further, the AEE, Panchayat Raj, a Special Officer of Chodavaram (V) made and passed resolutions for the construction of the above 3 buildings, and in addition to the above 3 buildings, he also made resolutions for levelling of the ground by filling with earth and construction of the compound wall around the 3 buildings from the Grants of 14th and 15th Finance Funds and also general funds of Gram Panchayat.

As per the procedure, even the Panchayat Sarpanch/Special Officer have to attend to the work, he entrusted the work of levelling the ground by filling it with earth, construction of the compound wall and above 3- buildings to one Sri M.Bala Subrahmanyam of Penumalli(V), Pedana (M). As Sri M. Bala Subrahmanyam completed the earth-filling work he paid an amount of Rs.1,72,991/-.

Further, Sri M.Bala Subrahmanyam also completed the work of construction of 3 buildings up to the basement level and the compound wall up to 50%, on which he requested to make part payment. Accordingly, as per the request of Sri M. Bala Subrahmanyam, he is processing the bills for payments. While the matter stood thus on 18.03.2021 evening when he was present in his house at Chilakalapudi, Machilipatnam Sri M. Bala Subrahmanyam came to his house and gave the amount of Rs.85,000/- to him, within few minutes the ACB officials came to his house, conducted the Chemical Test and it yielded positive result to his both hands and further, the ACB Officials seized the tainted amount of Rs.85,000/- from his possession. When the DSP questioned him about his demand for a bribe from the Complainant Sri Mummidisetty Bala Subramanyam he kept silent.

Then the DSP called and asked the Complainant Sri Mummidisetty Bala Subramanyam to narrate what had happened after he left the Trap Party along with the accompanying witness. He stated that after he left the Trap

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Party at about 16.30 hours he entered the house of the A.O. The A.O. is present in the main hall and sat on the sofa. On seeing him the G.S asked whether he brought the bribe amount or not. When he replied affirmatively he asked him to pay the bribe amount. Then he took out the bribe amount from his right side front Pants pocket and handed over the same to him. Then he received the same with his right hand and counted with both hands and after confirmation as Rs.85.000/- he kept the amount in his left side front Pants pocket and informed him that he would complete his work within a short period. Then he came out from the house of G.S and gave the pre-arranged signal to the ACB Inspector by wiping his face with a handkerchief and immediately ACB party along with mediators rushed into the house of the G.S. He also accompanied them and after confirmation of the identity of the G.S, he was asked to wait outside in the corridor. When the DSP confronted the G.S with the version of the Complainant Sri Mummidisetty Bala Subramanyam, the G.S did not say anything and just downed his head.

Then the DSP asked the G.S to produce the connected records pertaining to the works entrusted to Sri M. Bala Subrahmanyam. He produced the file and the DSP seized the same as Made up File-I in the presence of the mediators.

Made up File-I:

1) Attested true copy of the resolution (Prateyka Adhikari Vaari Samaavesham) of the Special Officer of Gram Panchayat, Chodavaram, Pedana (M) Dt. 23.11.2020- 1 - Sheet, 2) Copy of Detailed Estimate for the construction of the compound wall around the New Grama Sahivalayam Buildings in Chodavaram Village of Pendana Mandal Est. Cost:- Rs.5.00 Lakhs -2 to 12 Sheets.

In the meantime one female person entered the residential house Flat of the G.S and introduced herself as the building owner, the DSP secured her presence, examined her in the presence of mediators and recorded her detailed statement of 1) Smt. Chalamalasetty Lakshmi Tayaru, W/o late Radha Krishna Murthy, aged 51 Yrs, D.No.20-242, Sai Sri Durga Nilayam, Brahmapuram Road No.2, near Collectorate, Chilakalapudi, Machilipatnam. Further, the DSP secured the presence of the following witnesses and examined them in the presence of the mediators and recorded their detailed statements 2) Smt. Batchu Gopi Sowbhagya Ratna, W/o Venkata Nadha Prasad, 55 Yrs, Brahmapuram 2nd Road, Sai Sri Durga Nilayam, Chilakalapudi, Machilipatnam, 3) Smt. Modugumudi Padmavathi, W/o Seshu Babu, Aged 32 Yrs, R/o D.No.15-243, back side of Lakshmi Talkies, Machavaram, Machilipatnam, are the witnesses and categorically stated that the G.S staying in the house since 2015 for rental basis, on 18-03-2021 at about 4:45 PM some unknown person came to the house of the G.S and after talking few minutes, the unknown person left the G.S's house. Immediately some persons were come to the G.S's house and revealed that they were from ACB Department, Vijayawada. Later, the ACB Officials, Vijayawada conducted chemical tests to the G.S both hand fingers and G.S's Pants and the tests yielded positive, then ACB Officials, Vijayawada recovered the tainted amount from the G.S etc., facts.

In the meantime 4 persons entered the residential house Flat of the G.S and introduced themselves, then the DSP secured their presence and examined them separately in the presence of the mediators, 1) Sri Thota

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Lakshmi Narayana, S/o Thota- Venkateswara Rao, aged 59 Yrs, Deputy Executive Engineer, Panchayat Raj, Machilipatnam, R/o H.No.23-247-5-1, Batchupet, Machilipatnam. 2) Sri Bhukya Rajeswara Rao S/o Vasram, aged 51 Yrs, Technical Officer, O/o Executive Engineer, Panchayat Raj Department, Machlipatnam, R/o Flat No.105, Decent Apartment, Sukarlabad, Machilipatnam. The DSP ACB secured the above said 4 and 5 witnesses' presence, examined them and recorded their statements. The above-said witnesses categorically stated the procedural aspects of the G.S when constructing the Grama Sachivalayam, Rythu Bharosa Kendhram, wellness Centre and Compound wall around the 3 buildings. On 18.03.2021 evening they received information that the G.S was caught red-handedly while demanding and accepting a bribe amount of Rs. 85,000/- from the Complainant Sri Mummidisetty Bala Subramanyam for processing of bills pertaining to the construction of three buildings and the Compound wall.

When the DSP asked Sri Bhukya Rajeswara Rao, Technical Officer to produce the copies of M-Books, he submitted the attested Photostat copies of the following M-Books and detailed estimates along with the Collector's sanction orders.

Made up File-II :

MB No. 2702A/2018-19 of the O/o EE, PRI Division, Machilipatnam for the construction of Gram Sachivalayam Building at Chodavaram (V) of Pedana (M), Estimation Rs.40 Lakhs. - (Sheets from 01 to 26)

Made up File-III :

MB No.2722A/2018-19 of the O/o EE, PRI Division, Machilipatnam for the construction of i) Providing additional space for health staff (Wellness Centre) at Chodavaram (V), estimation Rs. 17.50/14.95 Lakhs, i) Providing additional space for agricultural staff (RBK) at Chodavaram (V), estimation of Rs.21.80 Lakhs.- (Sheets from 01 to 42)

Made up File-IV :

1) The Copy of the Administrative Sanction Proceeding vide Rc.No. 26/C1/2020, Dt. 18-05-2020 of the District Collector /DPC MGNREGS, Kishna, containing -4 sheets. 2) Copy of the Detailed Estimate of Construction of the Grama Sachivalayam Building. Providing additional space for Health Staff and Agricultural Staf at Chodavaram Village, Pedana Mandal Est. Const: Rs. 79.30 /76.75 Lakhs -4 Sheets. 3) Copy of Detail Estimate for construction of Wellness Centre Building at Chodavaram Village of Pedana Mandal Est, Cost:- Rs. 17.50/14.95 Lakhs -5 Sheets. 4) Copy of Detailed Estimate for construction of RBK Centre Building at Chodavaram Village of Pedana Mandal Est. Cost:- Rs. 21.80 Lakhs -4 Sheets.

The DSP ACB secured the presence of the Panchayat Secretary of Nadupuru village and In-charge of Chodavaram village and the MPDO of Pedana, examined and recorded his statement i.e., 3) Sri Appikatla Lalitha Vara Prasad S/o Chandrasekhara Rao, aged 51 Yrs, Panchayat Secretary, Nadupuru (V), i/c Chodavaram (V), Pedana (M), R/o D.No.2/91, Chinthaguntapalem, Machilipatnam.

(Continued on Page.12)

Made Up File-V:

Resolution Book: During the Post-Trap Proceedings, on the request of ACB DSP the In-charge Panchayat Secretary Sri Appikatla Lalitha Vara Prasad furnished the attested Photostat copies set of Chodavaram Grama Panchayat Resolutions Book. On perusal of the Resolutions Book, it is observed that on sheet No. 2, it is certified that the Collector Krishna, Machilipatnam orders vide ROC.No. 405/2018 P 156 Dt. 27-08- 2018, the Special Officer for Chodavaram Gram Panchayat the A0, Sri BVN Prasad attended for Grama Panchayat duties. On sheet No.11, items No's 6,7,8 passed a resolution to submit letters to the District Collector, Krishna for the new construction of 3 buildings for MGNREGS funds. On sheet No. 14, item No. 22, GP Chodavaram passed a resolution for the preparation of the estimates under the 14" Finance Scheme4 for site levelling by the AEE PR Pedana. On sheet No. 15. item No. 22, GP Chodavaram passeda resolution for the preparation of the Estimates under the 14" finance scheme 4, for jungle clearance by the AEE PR Pedana. On sheet No. 21, items No's 46,47 passed a resolution for the preparation of Estimates for earth filling (Matti Meraka) and leveling around the 3 buildings construction and construction of the compound wall around the 3 buildings construction by the AEE PR Pedana under 14" finance scheme and Grama Panchayat funds. On sheet No. 22, items No's 48, and 49 passed a resolution that the AEE PR Pedana prepared the Estimate for Earthwork levelling for Rs. 2,00,000 was approved for Administrative Sanction by the Grama Panchayat Chodavaram and forwarded to DEE for Technical Sanction and that the AEE PR Pedana prepared the Estimate for the compound wall around the 3 buildings for Rs. 5,00,000/- was approved for Administrative Sanction by the Grama Panchayat Chodavaram and forwarded to EE for Technical Sanction.

During the Investigation, the MPDO Pedana 4) Sri Jujuvarapu Ramanadham S/o Krishna Murthy, aged 50 Yrs, Mandal Parishad Development Officer, Pedana Mandal, Krishna District R/o Plot No. 303, Yalamanchali Apartment, 5" lane, Rajendranagar, Gudivada. The above said witness stated the procedural aspects of the G.S when constructing the Grama Sachivalayam, Rythu Bharosa Kendhram, wellness Centre and Compound wall around the 3 buildings. On the request of ACB DSP, he produced the Attendance Register on 20.03.2021 and also mentioned that the G.S did not avail C.Ls from 01.01.2020 to 20.03.2021.

Made Up File-VI: Attendance Register:

During the investigation on 20.03.2021 the MPDO Pedana Sri Jujjuvarapu Ramanadham attended ACB Vijayawada Range Office, Jain Colony. Gollapui Vijayawada and furnished the attested Photostat copies set of Attendance Register (Sheets from 01 to 17) by certifying that "from 01.01.2020 to 20.03.2021 C.Ls did not availed'". On perusal of the Attendance Register, the MPDO submitted from the Months of January 2020 to March 2021 total 16 sheets. In the Attendance Register, (1)the EO PR & RD Sri M. Jayaram, (2) the AEE PR Sri BVN Prasad, (3) the MEO, Post vacant, (4) the Administrative Officer, Sri V. Rambabu. (5) the Sr. Asst., Sri Md. Emran, (6) the Jr. Asst. Sri TTS Prakasha Rao, (7) the Typist, Post vacant, (8) the O.S, Md. Hussian Bee, (9) the O.S Sri V.N, Suguna Rao and (10) the 0.S Sri S.Venkateswara Rao. In March 2021 the Attendance Sheet found the Attendance up 20" March 2021. Wherein the Accused Officer, Sri

(Continued on Page.13)

BVN Prasad, March 2021 Attendance Sheet Row shows from 1 to 6n is Camp, on 7th is Sunday, on 8h & 9th in Camp, from 10th & 11th holidays, on 12th not marked, from 13th & 14th holidays, from 15th to 18th not marked. As mentioned by the MPDO Pedana the G.S Sri BVN Prasad was present for the regular duties on all Govt. working days. It shows the AO demanded a bribe from the Complainant Sri Mummidisetty Bala Subramanyam.

The DSP instructed Sri A.V. Siva Kumar, Inspector, ACB, Vijayawada Range to conduct a house search in the house of G.S, accordingly, the Inspector conducted a house search in the presence of mediators and found no valuables.

Then the DSP observed the Scene of the Offence. The Scene of Offence is the rented house of the G.S situated on the Ground floor of Sai Sri Durga Nilayam, D.No.20-242, Brahmapuram Road No-2, Chilakalapudi, Machilipatnam Municipal Corporation and the exact scene of the offence is the main hall of the rented house of G.S. The house is having Cellar and a G+2 storied building, having an entrance on the eastern side and facing the east. A cement road which is situated on the eastern side of the said building is running from north to south i.e. from Sai Ganesh temple to Cosmo Polyton Club which is also called Brahamapuram Road No.2. Towards the east of the said road, the houses of Chalamalasetty Narayanarao, Garikapati Kesavarao, Kodiboina Venkata Ramananandh are situated from, north to south. Towards the north of the Scene of Offence building, the terraced house of Sri Kunapareddy Govardhan is situated. Towards the west of the Scene of the Offence building the duplex house of Smt. Chalamalasetty Adilakshmi is situated. Towards the south of the Scene of Offence building, the terraced building of Sri Namburi David Raju is situated. The rented house fat of the G.S is situated on the ground floor on the northern side and the southern side fat belongs to Smt. Chalamalasetty Lakshmi Tayaru W/o late Radha Krishna Murthy who is the owner of the building.

The rented house fat of the G.S is a 3 BHK Flat facing towards the east. The rented house fat is having a sitting room, pooja room, and kitchen situated from north to south and the sitting room is facing towards east. Towards the west of the above sitting room, the L shape main hall is situated. The southeast portion of the hall is being utilised as a dining room. Towards the south, to the hall, the children's bedroom is situated. Towards the southwest corner of the hall, the toilet is situated and towards the west to the toilet and hall, the toilet and two bedrooms are situated from south to north which is being utilized as a master bedroom and Office room. The residential fat of the G.S Is having common corridor on the eastern side and corridors on the western side and the northern side in the northern side corridor, on the northwest corner the common toilet is situated. The exact Scene of Offence is the main hall of the residential rented house fat of the G.S. The DSP got drafted the Scene of Offence with their staff duly attested by the mediators and the DSP.

Hence the charge against the Government Servant that he demanded and accepted a bribe amount of Rs.85,000/- from the Complainant Sri Mummidisetty Bala Subramanyam for showing official favour is held substantiated.

(Continued on Page.14)

Thus the Government servant, Sri Batchu Venkata Nadha Prasad, S/o Srinivasa Rao, Age 58 years, Assistant Executive Engineer, Panchayat Raj, Pedana Mandal, Krishna District by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government servant and brought down the prestige of the Government and thereby contravened Rule 3(1) & 3(2)) of AP Civil Service (Conduct) Rules, 1964. Hence, the charge.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE- III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI BATCHU VENKATA NADHA PRASAD, ASSISTANT EXECUTIVE ENGINEER, PANCHAYAT RAJ DEPARTMENT, PEDANA MANDAL, KRISHNA DISTRICT ARE PROPOSED TO BE SUSTAINED

The following oral evidence is available on record.

Sl.no	Name of the Witness	Evidence to be adduced
1	Sri Mummidisetty Bala Subrahmanyam, S/o Someswara Rao, aged 47 Yrs, Occ: Contractor, R/o Penumalli Village, Pedana Mandal, Krishna District	To speak to the facts of filling a report to LW.20 with regard to the demand and acceptance of a bribe amount of Rs.85,000/- by the the A.O from LW-1 and 161 & 164 Cr.PC statement etc facts
2	Smt. Chalamalasetty Lakshmi Tayar, W/ o late Radha Krishna Murthy, A/51 Yrs, D.No.20.42, Sai Sri Durga Nila yam, Brahmapuram RoadNo.2, near Collectorate, Chilakalapudi, Machilipatnam:	To speak to the facts she is house owner the G.S and she learnt that on the day of the trap at about 04.30 pm the AEE was caught red-handedly by the Vijayawada ACB officials and etc, facts. when he demanded and accepted the bribe amount of Rs.85,000/- from the Contractor and etc, facts.
3	Smt. Batchu Gopi Sowbhagya Ratna, W/o Venkata Nadha Prasad, Age 55 years, Brahma puram No.2 road, Sai Sri Durga Nilayam Chilakalpudi, Machilipatnam, Krishna District:	To Speak to the facts she is wife of the G.s and she learn that on the day of the trap at about 4:30 pm the AEE was caught red- handedly by the Vijayawada ACB officials and etc. facts
4	Smt. Modugumudi Padmavati, W/o Sheshu Babu, Age 32 yrs, R/o D.No. 15-243, Back side of Lakshmi talkies. Machavaram, Machilipatnam Krishna District:	To speak to the facts she is working as a maid servant in the house of the G.S. and she learnt that on the day of the trap at about 04.30 pm the AEE was caught red-handedly by the Vijayawada ACB officials and etc, facts.

5	Sri Thota Lakshmi Narayana, S/o Thota Venkateswara Rao, aged 59 Yrs, Deputy Executive Engineer, Panchayat Raj , Machilipatnam, R/o H.No.23-247- 5-1, Batchupet, Machilipatnam, Krishna District.	To speak to the facts he is working as DEE, Panchayat Raj, Machilipatnam Sub-Division, Krishna District and superior officer to the G.S. The ACB officials trapped the G.S on 18.03.2021 and he attended and stated the procedural aspects by the LW- 20 on the day the trap and etc., facts.
6	Sri Bhukya Rajeswara Rao, S/o Vasram, aged 51 Yrs, Technical Officer, O/o Executive Engineer, Panchayat Raj Department, Machilipatnam, R/o Flat No. 105, Decent Apartment, Sukarlabad, Machilipatnam, Krishna District	To speak to the facts he stated that he has been working as Technical Officer since the year 2011 in the O/o EE, Panchayat Raj Department, Machilipatnam, the ACB officials trapped the G.S on 18.03.2021 and he stated the procedural aspects, etc. facts
7	Sri Appikatla Lalitha Vara Prasad, S/o To speak to the facts he is working as Chandrasekhara Rao, aged 51 Yrs, Panchayat Secretary, Nadupuru (V), I/c Chodavaram (V), Pedana (M), R/o D.No.2/91, Chinthaguntapalem, 18.03.2021 and he stated the procedural Machilipatnam, Krishna District	To speak to the facts he is working as Panchayat Secretary Nadupuru (V), i/c Chodavaram Panchayat of Pedana mandal the ACB officials trapped the G.S on 18.03.2021 and he stated the procedural aspects etc. facts.
8	Sri Jujuvarapu Ramanadham, S/o Krishna Murthy, aged 50 Yrs, Mandal Parishad Development Officer, Pedana Mandal, Krishna District R/o Plot No. 303, Yalamanchali Apartment, 5th lane, Rajendranagar, Gudivada, Krishna District	To speak to the facts he is working, as MPDO. Pedana Mandal since 27.05.2017. The ACB officials trapped the G.S on 18.03.2021 and he stated the procedural aspects, etc. facts
9	Sri Anumula Venkata Sai Srinivas S/o AVN Raja Rao, Age 57 years, O/o. Executive Engineer, PRI Department Machilipatnam, R/o G3 Apartments, Kobbari Thota, Machilipatnam, Krishna District.	To Speak to the facts he is working as EE in Machilipatnam, The ACB officials trapped the G.S on 18.03.2021 and he stated the procedural aspects etc. facts
10	Sri Makani Venkata Raghavendra Rao, S/o, Poorna Chandra Rao, Age 52 years, Occ. Civil Contractor, R/O D.No.21/555, Parasu Peta, Machilipatnam, Krishna District	To Speak to the facts he is civil works contractor in Bandar Muncipality and surrounding villages and the ACB officials trapped the GS on 18.03.2021 and etc facts
11	Sri Padamata Siva Krishna, S/o Pothu Raju A/30 Yrs, Occ: Business of Mobiles Pedana Rlo D.No. 12-225-18, 21st Ward Brahmapuram, Pedana of Krishna District.	To speak to the facts he is running lakshmi Mobiles Business for the last 11 years in Pedana of Krishna district. On 16.03.2011 Sri Mummadisetty Bala Subramanyam came to his Lakshmi mobiles shop, Pedana and requested to record the voice record

		conversation from his mobiles to a memory card and etc. facts.
12	Sri Loya Hari Babu, S/o Ramaiah, A/56 Yrs, Occ. AEE, MPP Guduru, I/c. AEE, MPP Pedana, R/o D.No.23/37, Near Vani Hospital, Ramanaidupeta, Machilipatnam, Krishna District.	To speak to the facts he is working as AEE, MPP Guduru, I/c AEE, MPP Pedana. The ACB officials trapped the G.S on 18.03.2021 and he stated the procedural aspects, etc. facts.
13	Sri Singamsetty Ramanjaneyulu, S/o Antarvedi, A/45 Yrs, Occ. Civil works Sub Contractor, R/o D.No.1-70, Vadlamanu village, Gudlavalleru Mandal, Krishna District.	To speak to the facts he is friend of the G.s and transactions between the G.S. The ACB officials trapped the G.S on 18.03.2021 and he stated the procedural aspects, etc. facts.
14	Smt. Gajjela Sudh, W/o Rejeev Kumar, A/37 Yrs, Occ. Sarpanch of Chodavaram Grama Panchayat, R/o D.No.2/32, Chodavaram village, Pedana Mandal, Krishna District	She speaks about the facts and she is Sarpanch of Chodavaram Grama Panchayat. The ACB officials trapped the G.S on 18.03.2021 and she stated the procedural aspects, etc. facts.
15	Sri Mohammad Farhetulla, S/o Asmatulla, A/34 Yrs, Occ. Panchayat Panchayat Secretary, Jinjeru, I/c Chodavaram Panchayat. R/o. D.No.20-221, Parasupeta, Machilipatnam, Krishna District.	To Speak to the facts he is working as panchayat Secretary, Jinjeru I/c Chodavaram, Panchayat. The ACB officials trapped the G.S on 18.03.2021 and he stated the procedural aspects, etc. facts.
16	Sri Balla Jyotheeswara Rao S/o B.Vullakki, 47 Yrs, Sub-Treasury Officer, O/o DTO West, Vijayawada, R/o Flat No.101, Yalamanchali Apartments, 5th land, Rajendranagar, Gudivada.	He is the 1st Mediator and speaks about the contents of pre-Trap Proceedings (Mediators Report- I & II), on 18- 03-2021, etc facts.
17	Sri Rajput Gopal Singh S/o Anand Singh, 42 Yrs, Senior Accountant, O/o DTO West. Vijayawada, R/o HIG 87, HB Colony, Bhavanipuram, Vijayawada,.	He is the 2nd Mediator and speaks about the contents of Pre-Trap and Post-Trap Proceedings (Mediators Report- I & II), on 18- 03-2021, etc facts.
18	Sri Kalive Suresh Babu, VII Addl. Railways, Metropolitan Magistrate for Vijayawada.	To speak to the facts about recorded the statements of LW-1 u/s 164 Cr.P.C. on 03.08.2021.
19	The Director, APFSL Tech Towers, Mangalagiri, Guntur Dist.	To speak about specimen voice sample of the A.O and etc., facts.
20	Sri P. Sarath Babu, Dy. Supdt. of Police, Anti-Corruption Bureau, Vijayawada Range, Vijayawada.	To speak to the facts about the receiving complaint from the LW-1 and the same was the registration of the case and conducting of Pre-Trap Proceedings, on 18.03.2021 and examined the LWs- 1 to 10, etc. facts.

21	Sri K. Happy Krupa Vandanam, Inspector-I, Anti-Corruption Bureau, Vijayawada Range, Vijayawada.	To speak to the facts of his conducting further investigation and examination of LWs-1 &5 Re-Examination and LWs-11 to 15, finalization of the investigation, submission of the final report to H.O and etc., facts.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE –IV

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI BATCHU VENKATA NADHA PRASAD, ASSISTANT EXECUTIVE ENGINEER, PANCHAYAT RAJ DEPARTMENT, PEDANA MANDAL, KRISHNA DISTRICT ARE PROPOSED TO BE SUSTAINED:

1. **Complaint Dt.17-03-2021 given by the Complainant.**
It reveals the facts of the demand for a bribe amount of Rs.85,000/- by the G.S for doing an official favour pending.

2. **F.I.R. in Cr. No. 03/RCT-ACB-VJAI2021, Dt. 18-03-2021.**
It reveals that a report was received from the Complainant with regard to the demand for a bribe and registration of the case against the G.S.

3. **Mediators Report-I:** It reveals Pre-Trap happenings recorded on 18.03.2021.

4. **Mediators Report-II:** It reveals Post-Trap happenings recorded on 18.03.2021.

5. **Made up File-I**: Containing 12 sheets having: 1) Attested true copy of Resolution (Prateyka Adhikari Vari Samavesam) of Special Officer of Chodavaram Grama Panchayat, Pedana (M) Dt. 23.11.2020. (1 Sheet).
2) Attested true copy of Detailed Estimate for construction of the compound wall around the New Grama Sahivalayam Buildings in Chodavaram Village of Pendana Mandal. Est. Cost:- Rs.5.00 Lakhs (2 to 12 Sheets). The above said documents were seized from the possession of the G.S.

6. **Made up File-II**: Attested true copy of MB No. 2702A/2018-19 of the O/o EE, PRI Division, Machilipatnam for the construction of Gram Sachivalayam Building at Chodavaram (V) of Pedana (M), Estimation Rs.40 Lakhs (01 to 26 Sheets). The above said documents were seized from the Technical Officer, O/o EE, Panchayat Raj.

7. **Made up File-III:** Attested true copy of MB No.2722A/2018-19 of the O/o EE, PRI Division, Machilipatnam for the construction of () Providing additional space for health staff (Wellness Centre) at Chodavaram (V), estimation Rs. 14.95/17.50 Lakhs,

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(ii) Providing additional space for agricultural staff (RBK) at Chodavaram (V), estimation of Rs.21.80 Lakhs (01 to 42 Sheets). The above said documents were seized from the Technical Officer, O/o EE, Panchayat Raj.

8. Made up File-IV:

1) Attested true copy of Administrative Sanction Proceeding vide Rc.No. 26/C1/2020, Dt.18-05-2020 of the District Collector /DPC MGNREGS. Krishna, containing (4 Sheets).

2) Attested true copy of the Detailed Estimate of Construction of the Grama Sachivalayam Building, Providing additional space for Health Staff and Agricultural Staff at Chodavaram Village, Pedana Mandal Est. Const: Rs. 79.30/76.75 Lakhs (4 Sheets).

3) Attested true copy of Detail Estimate for construction of Wellness centre Building at Chodavaram Village of Pedana Mandal Est, Cost:-Rs. 17.50 I14.95 Lakhs (5 Sheets).

4) Attested true copy of Detailed Estimate for construction of RBK centre Building at Chodavaram Village of Pedana Mandal Est. Cost:- Rs. 21.80 Lakhs (4 Sheets). The above said documents were seized from the Technical Officer, O/o EE, Panchayat Raj.

9. Made-Up File-V: Resolution Book:- The attested Photostat copies set of Chodavaram Grama Panchayat Resolutions Book furnished by the I/c Panchayat Secretary Chodavaram Grama Panchayat.

10. Made-Up File-VI: Attendance Register:- The attested Photostat copies set of Attendance Register(Sheets from 01 to 17) certifying that " from 01.01.2020 to 20.03.2021 C.Ls not availed". The above said documents were furnished by the MPDO Pedana.

11. Copy of the statement of the Complainant recorded U/s 164 Cr.P.C by the Magistrate:-

It corroborates the facts of the complaint, Pre-Trap and Post-Trap Proceedings to the extent concerning him recorded by the Hon'ble VII Addl. Metropolitan Magistrate for Railways Sri Kalive Suresh Babu, Vijayawada on 03.08.2021 and the Complainant fared well.

12. Letter, Dt. 23.06.2021 of Inspector-I, ACB, Vijayawada Range, Vijayawada to the Nodal Officer, ACB, AP Vijayawada to forward BSNL Service provider for call details, CDRs, CAF and U/s 65-B (4) (C) of the IEA, 1872 Certificates.

The Nodal Officer through his letter has furnished (i) the certificate under 65-B(4)(C) of IEA, (ii) the Customer Application form in respect of Mobile No. 6302734699 pertaining to the Complainant, (iii) CDRS of the SIM No. 9440269619 from 09.03.2021 to 19.03.2021.

13. Certificate, Dt. 12.01.2023 U/s 65 (B)(4) (C) of Indian Evidence Act 1872 issued by the Authorized Signatory, Alternate Nodal Officer, LI, AP Circle, Bharat Sanchar Nigam Limited:

(Continued on Page.18)

It denotes that the BSNL Certified the Mobile No.9440269619 in the Name of Sri Batchu Venkata Nadha Prasad for the period from 09.03.2021 to 19.03.2021.

14. Customer Application Form (CAF):
It is proved that the Customer Application Form in respect of Mobile No. 9440269619 pertaining to the Accused Officer Sri Batchu Venkata Nadha Prasad, S/o Srinivasa Rao, R/o D.No.20-242, Sri Sai Nilayam, Brahmapuram, Opp: Cosomo Club, Machilipatnam, Chilakalapudi Rural, Krishna District, Andhra Pradesh. Date of the issue in the above SIM Card on 27.02.2012 by the BSNL authority.

15. Call Details Report (CDR) of SIM No. 9440269619 of the A.O:
It proves that a conversation took place between Complainant and Accused Officer, in which the Accused Officer Demanded a Bribe amount from the Complainant when the Complainant called G.S through his mobile phone No. 6302734699 to Accused Officer's Mobile No. 9440269619 on 16-03-2021 at 12.50:28 hours ie. for 586 seconds.

16. 65-B IEA Certificate: On 26.10.2021. the Lakshmi Mobile Shop Owner, Sri Patamata Siva Krishna of Pedana, Krishna District issued the 65-B IEA Certifcate to the ACB officials Vijayawada.

17. Memory Card:- It contains the voice conversation between the A.O Sri Batchu Venkata Nadha Prasad and the Complainant Sri M. Bala Subrahmanyam.

18. Orders of the MPDO Appointing the GS as a Special Officer Chodavaram and Nandigama Grama Panchayats vide RC No.46/2018-SA, Dt. 29.01.2020.

19. Letter dated 18.10.2022 of Deputy Executive Engineer, it reveals that he issued a Certificate that the work done by the Complainant and Official Favour pending was completed.

20) Copies of 161 Cr.P.C Statements.

1	Sri Mummidisetty Bala Subrahmanyam, S/o Someswara Rao, aged 47 Yrs, Qcc: Contractor, R/o Penumalli Village, Pedana Mandal, Krishna District
2.	Smt. Chalamalasetty Lakshmi Tayar, W/o late Radha Krishna Murthy, A/51 Yrs, D.No.20.42, Sai Sri Durga Nilayam, Brahmapuram RoadNo.2, near Collectorate, Chilakalapudi, Machilipatnam:
3.	Smt. Batchu Gopi Sowbhagya Ratna, W/o Venkata Nadha Prasad, Age 55 years, Brahma puram No.2 road, Sai Sri Durga Nilayam Chilakalpudi, Machilipatnam, Krishna District:
4	Smt. Modugumudi Padmavati, W/o Sheshu Babu, Age 32 yrs, R/o D.No. 15-243, Back side of Lakshmi talkies, Machavaram, Machilipatnam Krishna District:
5	Sri Thota Lakshmi Narayana, S/o Thota Venkateswara Rao, aged 59 Yrs, Deputy Executive Engineer, Panchayat Raj Machilipatnam, R/o H.No.23-247-5-1, Batchupet, Machilipatnam, Krishna District.
6	Sri Bhukya Rajeswara Rao, Slo Vasram, aged 51 Yrs, Technical Officer, O/o Executive Engineer, Panchayat Raj Department., Machilipatnam, R/o

	Flat No. 105, Decent Apartment, Sukarlabad, Machilipatnam, Krishna District
7	Sri Appikatla Lalitha Vara Prasad, S/o Chandrasekhara Rao, aged 51 Yrs, Panchayat Secretary, Nadupuru (V), ilc Chodavaram (V), Pedana (M), R/o D.No.2/91, Chinthaguntapalem, Machilipatnam, Krishna District:
8	Sri Jujuvarapu Ramanadham, S/o Krishna Murthy, aged 50 Yrs, Mandal Parishad Development Officer, Pedana Mandal, Krishna District R/O Plot No. 303, Yalamanchali Apartment, 5 lane, Rajendranagar, Gudivada, Krishna District
9	Sri Anumula Venkata Sai Srinivas S/o AVN Raja Rao, Age 57 years, Occ. Executive Engineer, PRI Department, Machilipatnam, R/o G3 Apartments, Kobbari Thota, Machilipatnam, Krishna District.
10	Sri Makani Venkata Raghavendra Rao, S/o, Poorna Chandra Rao, Age 52 years, Occ. Civil Contractor, RIO D.No.21/555, Parasu Peta, Machilipatnam, Krishna District
11	Sri Padamata Siva Krishna, S/o Pothu Raju, A/30 Yrs, Occ: Business of Lakshmi Mobiles, Pedana R/o D.No.12-225-18, 21st Ward Brahmapuram, Pedana, Krishna District:
12	Sri Loya Hari Babu, S/o Ramaiah, A/56 Yrs, Occ. AEE, MPP Guduru, I/c AEE, MPP Pedana, R/o D.No.23/37, Near Vani Hospital, Ramanaidupeta, Machilipatnam, Krishna District.
13	Sri Singamsetty Ramanjaneyulu, S/o Antarvedi, A/45 Yrs, Occ. Civil works sub contractor, R/o D.No.1-70, Vadlamanu village, Gudlavalleru Mandal, Krishna District.
14	Smt. Gajjela Sudh, Wio Rejeev Kumar, A/37 Yrs, Occ. Sarpanch of Chodavaram Grama Panchayat, R/o D.No.2/32, Chodavaram village, Pedana Mandal, Krishna District
15	Sri Mohammad Farhetulla, S/o Asmatulla, A/34 Yrs, Occ. Panchayat Secretary, Jinjeru, I/c Chodavaram Panchayat, R/o D.No.20-221, Parasupeta, Machilipatnam, Krishna District.
16	Any other documents will be filed at the time of enquiry.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER